

Yosef Peretz (SBN 209288)
Emily A. Knoles (SBN 241671)
Michael D. Burstein (SBN 248516)
PERETZ & ASSOCIATES
22 Battery Street, Suite 202
San Francisco, CA 94111
Telephone: 415.732.3777
Facsimile: 415.372.3791

Attorneys for Plaintiffs
YESENIA GUITRON and JUDI KLOSEK

Baldwin J. Lee (Bar No. 187413)
Alexander Nestor (Bar No. 202795)
Amy Morgenstern (Bar No. 267412)
ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP
Three Embarcadero Center, 12th Floor
San Francisco, CA 94111-4074
Phone: (415) 837-1515
Fax: (415) 837-1516
E-Mail:blee@allenmatkins.com
anestor@allenmatkins.com
amorgenstern@allenmatkins.com

Attorneys for Defendants
WELLS FARGO BANK, N.A., WELLS FARGO & CO. AND
PAM RUBIO

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

YESENIA GUITRON; and JUDI KLOSEK,

Plaintiffs,

v.

WELLS FARGO BANK, N.A.; WELLS
FARGO & CO.; PAM RUBIO; and DOES 1-
20,

Defendants.

CASE NO. CIV-10-03461 CW (MEJ)

**PARTIES' STIPULATION AND
[PROPOSED] ORDER TO EXTEND
EXPERT DISCOVERY CUT-OFF
DATE**

1 Plaintiffs YESENIA GUITRON and JUDI KLOSEK and Defendants WELLS FARGO
2 BANK, N.A., WELLS FARGO & CO. and PAM RUBIO (collectively, "Defendants") stipulate,
3 as follows:

4 WHEREAS, the parties have designated seven expert witnesses, including three retained
5 experts and three non-retained experts Plaintiffs have designated and one retained expert
6 Defendants have designated;

7 WHEREAS, a dispute arose between the parties regarding whether Defendants were
8 entitled to take a Rule 35 mental examination of Plaintiff Klosek;

9 WHEREAS, Magistrate Judge Maria-Elena James ruled upon the parties' dispute in
10 favor of Defendants on December 1, 2011;

11 WHEREAS, Plaintiffs intend to file a Motion for Relief from Nondispositive Pretrial
12 Order on Magistrate Judge James' ruling of December 1, 2011 pursuant Civil Local Rule 72.2,
13 and thus are not scheduling Plaintiff Klosek's mental examination;

14 WHEREAS, because of the unavailability of the expert witnesses and counsel in
15 December 2011 and the dispute over the Rule 35 mental examination of Plaintiff Klosek, the
16 parties still have to schedule and take the depositions of the seven expert witness that were
17 designated in this case, as well as schedule the mental examination of Plaintiff Klosek unless the
18 Court grants Plaintiffs' Civil Local Rule 72.2 Motion;

19 WHEREAS, the expert discovery cut-off date currently is December 16, 2011;

20 WHEREAS, the parties need an additional 45 days to complete expert discovery,
21 including the seven depositions and the mental examination;

22 THEREFORE, the parties stipulate and respectfully ask the Court to grant a 45-day
23 extension of the expert discovery cut-off date to January 31, 2012.

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1 IT IS SO STIPULATED THROUGH COUNSEL OF RECORD:

2 Dated: December 6, 2011

3 ALLEN MATKINS LECK GAMBLE
4 MALLORY & NATSIS LLP

5 By: (-) Alexander Nestor
6 ALEXANDER NESTOR
7 Attorneys for Defendants

8 Dated: December 6, 2011

9 PERETZ & ASSOCIATES

10 By: (-) Yosef Peretz
11 YOSEF PERETZ
12 Attorneys for Plaintiffs

13
14
15 **[PROPOSED] ORDER**

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17 Pursuant to the parties' Stipulation, and Good Cause appearing therefor, the Court
18 hereby orders that the expert discovery cut-off date is continued from December 16, 2011, to
19 January 31, 2012.

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21 **IT IS SO ORDERED.**

22
23 Dated: December 20, 2011

24 By: 
25 THE HON. CLAUDIA WILKEN
26 U.S. DISTRICT JUDGE
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